

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 2189 OF 2025

Nilam Divesh Narodiya. ... Applicant.
Vs.
State of Maharashtra. ... Respondent.

Mr. Jaydatta Khoche, Advocate for Applicant.
Ms. Megha S. Bajoria, APP for Respondent/State.
PI Sunil Pawar, I.O., Ambad Police Station, Nashik.

**CORAM : ASHWIN D.BHOBE, J.
DATE : 2ND JUNE, 2025.
(VACATION COURT)**

P.C. :

1. Heard Mr. Jaydatta Khoche, learned Advocate for the Applicant and Ms. Megha S. Bajoria, learned APP for the Respondent -State.
2. The applicant is before this court under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023(for short "BNSS"), seeking bail in connection with the FIR bearing Crime No. 0162 of 2025 dated 27.02.2025 registered at Ambad Police Station for offence punishable under section 406, 420, 465, 467, 468 and 471 read with section 34 of the Indian Penal Code.
3. Case of the prosecution is that the Applicant alongwith her husband

and two other co-accused by forging documents and by gaining trust of the Complainant/s, are involved in cheating various complainants to the extent of Rs. 2 Crore 45 Lakhs.

4. There are 4 accused in the above said crime. Applicant was arrested on 4th April, 2025. She was in police custody till 11th April, 2025 and since then the Applicant is in Judicial Custody.

5. Criminal Bail Application No. 780 of 2025 filed by the Applicant was rejected by the learned Additional Sessions Judge-6, Nashik vide Order dated 7th May, 2025.

6. Mr. Jaydatta Khoche, learned Advocate for the Applicant submits that the Applicant is a lady who has two children, one aged 8 years and other aged 3 years. He states that since April, 2025, the children of the Applicant are deprived of the care and custody of the Applicant mother, she being in jail. He states that the statement of the witnesses have been recorded wherein they have stated that they have received their amounts from the Applicant. He submits that presence of the Applicant in custody is not required for investigation.

7. Ms. Megha S. Bajoria, learned APP submits that during the course of investigation, statement of Mr. Bipin Nanjibhai Jotasana, Nikhil

Karsanbhai Metliya and Ravikumar Gautambhai Metliya have been recorded on 30th May, 2025. She tenders said statements which are taken on record and marked “X” collectively. By placing reliance on the said statements, learned APP states that at the instance of the present Applicant, a total amount of Rs. 95,00,000/- has been paid to the said witnesses who are complainants in the Crime. Investigation in the context of the Applicant is said to have been completed. Learned APP fairly states that the bail application of the Applicant can be considered in the facts and circumstances of the case on humanitarian grounds, firstly she being a lady and secondly she having two minor children who are of the age, which would require care and custody of their mother.

8. In view of the facts and circumstances of the present case , considering the statements tendered before this Court and marked “X” collectively and as fairly submitted by the learned APP, this Application of the Applicant is being considered purely on the circumstances of the Applicant having 2 minor children and keeping in mind their well being. Further the offence as alleged in the present crime is non-violent crime. It is not the case of the prosecution that the Applicant is likely to flee the jurisdiction or abscond in the event bail is granted.

9. For the reasons stated hereinabove, the present Application is allowed subject to following conditions :

(a) The Applicant shall be released on bail in Crime No. 162 of 2025 registered at Ambad Police Station, Nashik, upon furnishing P.R. Bond in the sum of Rs. 50,000/- with one or two sureties in the like amount to the satisfaction of the concerned learned Judicial Magistrate First Class, Nashik.

(b) The Applicant shall deposit her passport, if any, with the concerned Judicial Magistrate First Class, Nashik on or before 6th June, 2025.

(c) The Applicant shall appear/report to the Investigating Officer of Ambad Police Station on 2nd and 16th of every month from 10 am. To 2 p.m. and on any other date, as may be required by the Investigating Officer. Reporting would commence from 16th June, 2025.

(d) The Applicant upon release, shall immediately provide residential address, contact/mobile number to the Investigating Officer of Ambad Police Station.

(e) The Applicant shall not interfere, influence or threaten any of

the witnesses or tamper with evidence.

(f) The Applicant shall cooperate with the conduct of the trial upon charge-sheet being filed and shall remain present before the concerned court on each date of hearing unless exempted.

10. Criminal Bail Application No. 2189 of 2025 is disposed of in the above terms.

[ASHWIN D.BHOBE, J.]